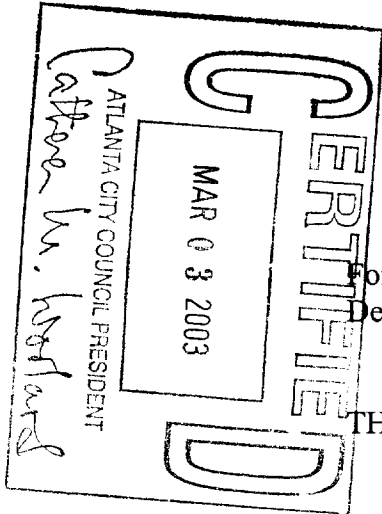


Entered - 05/08/02 - sb  
CL02L0339 - DIANNE C. MITCHELL

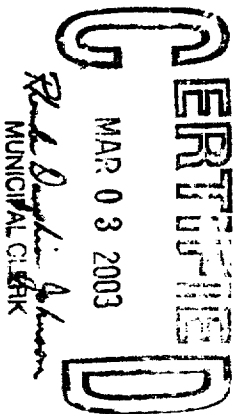
03- R -0264

CLAIM OF: **LATRELLE BURNETTE,**  
through his attorney,  
**Lloyd Hoffspiegel**  
**3715 Northside Parkway**  
**Building 300, Suite 600**  
**Atlanta, Georgia 30327**



for damages alleged to have been sustained as a result of an arrest on  
December 15, 2001 at 489 Courtland Avenue, NE.

THIS ADVERSE REPORT IS APPROVED



BY: Rosalind Rubens Newell  
**ROSALIND RUBENS NEWELL**  
**DEPUTY CITY ATTORNEY**

ADVERSE REPORT  
CITY COUNCIL MAR 03 2003

## ADVERSE REPORT

COMM: Public Safety

DATE: 2-25-03

CHAIR: \_\_\_\_\_

Clara Hamilton  
C. T. Martin  
Ray Orwood  
[Signature]  
[Signature]



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

March 17, 2003

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

Lloyd Hoffspiegel  
Attorney at Law  
3715 Northside Parkway  
Building 300, Suite 600  
Atlanta, GA 30327

03-R-0264

RE: Latrelle Burnette

Dear Attorney Hoffspiegel

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on March 03, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 02L0339

Date: February 7, 2003

Claimant /Victim LATRELLE BURNETTE  
BY: (Atty) Lloyd Hoffspiegel  
Address: 3715 Northside Parkway, Building 300, Suite 600, Atlanta, Georgia 30327  
Subrogation: Claim for Property damage \$ Bodily Injury \$ 450,000.00  
Date of Notice: 05/03/02 Method: Written, proper X Improper     
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 12/15/01 Place: 489 Courtland Avenue, NE  
Department Police Division:     
Employee involved    Disciplinary Action:   

NATURE OF CLAIM: The claimant alleges his civil rights were violated when he was arrested. The City is immune from liability as set forth in O.C.G.A. §§36-33-1 & 3.

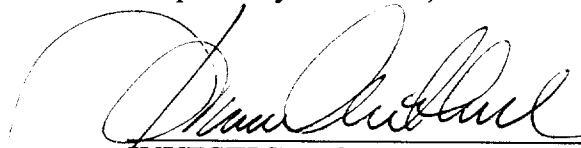
**INVESTIGATION:**

Statements: City employee    Claimant    Others    Written    Oral     
Pictures    Diagrams    Reports: Police X Dept Report X Other     
Traffic citations issued: City Driver    Claimant Driver     
Citation disposition: City Driver    Claimant Driver   

**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial     
Improper Notice    More than Six Months    Other X Damages reasonable     
City not involved    Offer rejected    Compromise settlement     
Repair/replacement by Ins. Co.    Repair/replacement by City Forces     
Claimant Negligent    City Negligent    Joint    Claim Abandoned   

Respectfully submitted,



**INVESTIGATOR - DIANNE C. MITCHELL**

**RECOMMENDATION:**

Pay \$    Adverse X Account charged: 1A01    2J01    2H01    2P01     
Claims Manager:    Concur/date 02-11-03  
Committee Action:    Council Action

RCS# 4504  
3/03/03  
2:24 PM

Atlanta City Council

Regular Session

CONSENT 1

Pgs. 1-11: Except 03-R-0321;

Adopt

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

NV Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

CONSENT 1

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**3/03/03 FULL COUNCIL MEETING**

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**Items Adopted on the  
Consent Agenda**

1. 03-O-0154
2. 03-O-0155
3. 03-O-0156
4. 03-O-0157
5. 03-O-0158
6. 03-O-0159
7. 03-O-0227
8. 03-O-0230
9. 03-O-0231
10. 03-O-0278
11. 03-R-0232
12. 03-R-0285
13. 03-R-0216
14. 03-R-0222
15. 03-R-0309
16. 03-R-0226
17. 03-R-0283
18. 03-R-0284
19. 03-R-0324
20. 03-R-0237
21. 03-R-0238
22. 03-R-0239
23. 03-R-0240
24. 03-R-0241
25. 03-R-0242
26. 03-R-0243
27. 03-R-0245
28. 03-R-0279
29. 03-R-0280
30. 03-R-0281
31. 03-R-0282

**Items Adversed on the Consent  
Agenda**

32. 03-R-0244
33. 03-R-0246
34. 03-R-0247
35. 03-R-0248
36. 03-R-0249
- 36.03-R-0250
- 37.03-R-0251
- 38.03-R-0252
39. 03-R-0253
40. 03-R-0254
41. 03-R-0255
42. 03-R-0256
43. 03-R-0257
44. 03-R-0258
45. 03-R-0259
46. 03-R-0260
47. 03-R-0261
48. 03-R-0262
49. 03-R-0263
50. 03-R-0264
51. 03-R-0265
52. 03-R-0266
53. 03-R-0267
54. 03-R-0268
55. 03-R-0269
56. 03-R-0270
57. 03-R-0271
58. 03-R-0272
59. 03-R-0273
60. 03-R-0274
61. 03-R-0275
62. 03-R-0276
63. 03-R-0277

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Consent I Vote: 12Yeas; 0 Nays: (See RCS #4504)  
Item Removed from the Consent Agenda: 03-R-0321